

Doc. # 4687

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MEMORANDUM

NOVEMBER 21, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: KEVIN MORRISON, ASSISTANT GENERAL COUNSEL

SUBJECT: AMENDMENT NO. 3 PROFESSIONAL SERVICES CONTRACT
ALEXANDER KOVEL

On September 26, 1984 the Authority voted to authorize the Director to enter into a Professional Services Contract (the "Contract") with Alexander Kovel, Esq. to provide administrative legal services as special counsel. In accordance with the vote the Contract was executed as of September 26, 1984. The total compensation thereunder was \$12,500 and the same was to terminate on December 29, 1984. Subsequently, the Contract was executed twice on the same terms which increased the total compensation to \$24,318 and with a termination date of March 1, 1985.

On February 20, 1985 the Authority voted to authorize the Director to execute Amendment No. 1 to the Contract which increased the total compensation to \$49,318 and with a termination date of August 31, 1985.

On August 21, 1985 the Authority voted to authorize the Director to execute Amendment No. 2 to the Contract which increased the total compensation to \$59,318 with a termination date of October 31, 1985.

Since Atty. Kovel is continuing to provide assistance to the Legal Department in connection with the settlement negotiations for the Back Bay Restorations case (Boston Redevelopment Authority v. Back Bay Restorations Company, et al., Land Court Civil Action No. 116134) and other Chapter 121A projects, it is recommended that the Authority authorize Amendment No. 3 to the Contract which would extend the same for an additional three months to January 31, 1986 and increase the total compensation by \$15,000.

An appropriate vote follows:

VOTED: That the Director by, and he hereby is, authorized to execute Amendment No. 3, in substantially the form attached hereto, to a certain Professional Services Contract with Alexander Kovel, Esq., dated as of September 26, 1984, as previously amended.

AMENDMENT NO. 3 TO THE CONTRACT
BY AND BETWEEN
BOSTON REDEVELOPMENT AUTHORITY
AND
ALEXANDER KOVEL

The Agreement (the original "Agreement") entered into on September 26, 1984, by and between the Boston Redevelopment Authority and Alexander Kovel, as extended twice, and as amended by Amendment No. 1, dated February 20, 1985 and Amendment No. 2, dated September 16, 1985, is hereby further amended as follows:

Section II (Compensation), final paragraph, shall be amended by deleting the entire paragraph as amended by Amendment No. 2 and inserting the following language in place thereof:

"In no event will the total compensation to be paid hereunder to exceed the maximum of Seventy Four Thousand Three Hundred and Eighteen (\$74,318) Dollars for any and all of the services specified in this Contract. Such sum includes the following amounts for the indicates time periods:

\$24,318 for period, September 26, 1984 to March 1, 1985.

\$35,000 for period, March 2, 1985 to October 31, 1985.

\$15,000 for period, November 1, 1985 to January 31, 1986."

Section IV (Time of Performance) shall be amended by deleting the date, "October 31, 1985", added by Amendment No. 2 and inserting the date, "January 31, 1985", in place thereof.

Except as amended above, all other provisions in the original Agreement as amended by Amendment No. 2 shall remain in full force and effect.

This Amendment No. 3 is executed this _____ day of November, 1985.

ATTEST

BOSTON REDEVELOPMENT AUTHORITY

By: _____
Stephen Coyle, Director

CONTRACTOR

By: _____
Alexander Kovel

APPROVED AS TO FORM

Assistant General Counsel
DEB5/Q